

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUL 11 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RICARDO SANDOVAL-MENDOZA,

Defendant - Appellant.

No. 07-10293

D.C. No. CR-01-40201-SBA

MEMORANDUM^{*}

Appeal from the United States District Court
for the Northern District of California
Saundra B. Armstrong, District Judge, Presiding

Submitted June 18, 2008^{**}

Before: REINHARDT, LEAVY, and CLIFTON, Circuit Judges.

Ricardo Sandoval-Mendoza appeals from his 240-month mandatory minimum sentence following a limited remand pursuant to *United States v.*

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Ameline, 409 F.3d 1073, 1079 (9th Cir. 2005) (en banc). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Sandoval-Mendoza's counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record. Sandoval-Mendoza has filed a pro se supplemental opening brief and a pro se reply brief. The government has filed an answering brief.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80-81 (1988), discloses no arguable grounds for relief on direct appeal.

Accordingly, counsel's motion to withdraw is **GRANTED**, and the district court's order is **AFFIRMED**.